

Original U.S. Patent No. 5,634,706  
Serial No. 09/323,636  
Applicant - James E. Barry  
Art Unit (Examiner) - 2875 (Quach)  
Title: ILLUMINATED GAS TANK OR SHELL

C1  
cont'd  
E1  
cont'd  
23. (Amended) ~~The method of claim 22 wherein step (b) includes associating the illumination member with a front half portion of said body member, wherein said front half portion is closest to a front area of a vehicle associated with said body member.~~

C2  
cont'd  
E1  
cont'd  
26. (Amended) ~~An illumination device attached to a gasoline tank or a hollow body shell disposed where a conventional gasoline tank is normally disposed, said illumination device comprising:~~

~~at least a partially transparent body member adapted for attachment to the gasoline tank or hollow body shell, and~~

~~an illumination member operatively associated with said body member;~~

~~wherein said illumination member provides light to illuminate an adjacent area.~~

27. (Amended) ~~A gasoline tank or hollow body shell disposed where a conventional gasoline tank is normally disposed, comprising~~

~~a non-transparent body member shaped as a gasoline tank; and~~

~~an illumination member associated with said body member.~~

#### **REMARKS**

This Amendment is responsive to the Office Action dated August 15, 2000, and supplements the Amendment filed on June 12, 2000. In that Action, the Examiner indicated that

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Claims 17 to 27 did not comply with 37 C.F.R. §1.121(b), and required that a supplemental paper be filed. Applicant incorporates by reference its arguments filed in the June 12, 2000 Amendment, including, but not limited to, Applicant's comments regarding the cited patents.

Claims 17-23, 26 and 27 have been amended. No new matter has been inserted. In compliance with 37 C.F.R. §1.121(b)(2)(ii), Applicant respectfully states the claims 1-27 remain pending in the application.

In compliance with 37 C.F.R. §1.121(b)(2)(iii), Applicant respectfully states the following:

(a) Support for the addition of the word "vehicle" to claims 17-22, the addition of the wording "shaped as a gasoline tank" in claims 17 and 27, and the deletion of the word "conventional and wording "or body shell", both occurrences, in Claim 22, is found at at least Col. 1, lines 66-67, and Figures 1-5 and 8-10;

(b) Support for the addition of the wording "performs the function of" and the deletion of the wording "acts as" in claim 20 is found at at least Col. 2, line 4;

(c) Support for the addition of the wording "so that said illumination member illuminates a surrounding area associated with the vehicle" in claim 22 is found at at least Col. 2, lines 34-37;

(d) Support for the addition of the wording "wherein said front half portion is closest to a front area of a vehicle associated with said body member" in claim 23 is found at at least Col. 6, lines 17-26 and Figure 2; and

(e) Support for the addition of the wording "at least a partially transparent" in claim 26 is found at at least Col. 6, lines 45-51 and Figure 7.

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It is respectfully believed that the claims are in condition for allowance, and Applicant respectfully requests action to that end.

Applicant has completely responded to the Office Action dated August 15, 2000.

In order to facilitate prosecution of this application, the Examiner is respectfully requested to contact the undersigned with any comments or suggestions the Examiner may have.

Any additional charges, including Extensions of Time, please bill our Deposit Account No. 13-1130.

Respectfully submitted,  
Malin, Haley & DiMaggio, P.A.

By 

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I:\8688\AMEND\6808.005(2ndOffActAmend)

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File No. 8688.6808



CERTIFICATE OF EXPRESS MAIL

I HEREBY CERTIFY that the following correspondence:  
SUPPLEMENTAL AMENDMENT (PURSUANT TO THE OFFICE ACTION OF 08/15/00)  
and RETURN POSTCARD FOR CONFIRMATION OF RECEIPT is being deposited  
with the United States Postal Service as Express Mail  
No.EL619725833US, addressed to: Commissioner of Patents and  
Trademarks, Washington, D.C. 20231, on this 14<sup>TH</sup> day of September,  
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I hereby declare that all statements made herein of my own  
knowledge are true and that all statements made on information and  
belief are believed to be true; and further that these statements  
were made with the knowledge that willful false statements and the  
like so made are punishable by fine or imprisonment, or both,  
under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please  
bill our Account No. 13-1130.

Betty Bernal  
Betty Bernal, Paralegal

Date: 9/14/00

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